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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

19 THE REGENTS OF THE UNIVERSITY OF
 20 CALIFORNIA, a California corporation,

21 Plaintiff,

22 v.

23 ROGER JINTEH ARRIGO CHEN, an individual;
 24 GENIA TECHNOLOGIES, INC., a Delaware
 corporation; and DOES 1-25,

25 Defendants.

Case No. 3:16-cv-07396-EMC

DECLARATION OF CHRISTOPHER R. NOYES IN SUPPORT OF DEFENDANTS' MOTION TO JOIN OXFORD NANOPORE TECHNOLOGIES, INC.

Presiding: Hon. Edward M. Chen
 Date: June 21, 2018
 Time: 1:30 PM
 Courtroom: Courtroom 5, 17th Floor

JURY TRIAL DEMANDED

DECLARATION

I, Christopher R. Noyes, declare as follows:

1. I am an attorney licensed to practice in the State of New York and a partner in the law firm of Wilmer Cutler Pickering Hale and Dorr LLP. I represent Defendants Roger Jinteh Arrigo Chen and Genia Technologies, Inc. (collectively, “Defendants”), in the above-captioned matter. I am admitted *pro hac vice* in the Northern District of California in the above-captioned matter pursuant to ECF No. 80.
 2. I submit this Declaration in support of Defendants’ Motion to Join Oxford Nanopore Technologies, Inc.
 3. Attached hereto as Exhibit A is a true and correct copy of UCAL-00005105 – UCAL-00005177, designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by The Regents of the University of California (hereinafter, the “Plaintiff”).
 4. Attached hereto as Exhibit B is a true and correct copy of UCAL-00116273 – UCAL-00116310, designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Plaintiff.
 5. Attached hereto as Exhibit C is a true and correct copy of UCAL-00116270 – UCAL-00116272, designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” by Plaintiff.
 6. Attached hereto as Exhibit D is a true and correct copy of U.S. Patent Application No. 14/302,287.
 7. Attached hereto as Exhibit E is a true and correct copy of U.S. Patent Application No. 14/302,303.

- 1 8. Attached hereto as Exhibit F is a true and correct copy of an Office Action for U.S.
2 Patent Application No. 14/302,287, retrieved from the Patent Application Information
3 Retrieval portal (<http://portal.uspto.gov/pair/PublicPair>).
4 9. Attached hereto as Exhibit G is a true and correct copy of an Office Action for U.S.
5 Patent Application No. 14/302,303, retrieved from the Patent Application Information
6 Retrieval portal (<http://portal.uspto.gov/pair/PublicPair>).
7 10. Attached hereto as Exhibit H is a true and correct copy of the Notice of Abandonment
8 for U.S. Patent Application No. 14/302,287, retrieved from the Patent Application
9 Information Retrieval portal (<http://portal.uspto.gov/pair/PublicPair>).
10 11. Attached hereto as Exhibit I is a true and correct copy of the Notice of Abandonment
11 for U.S. Patent Application No. 14/302,303, retrieved from the Patent Application
12 Information Retrieval portal (<http://portal.uspto.gov/pair/PublicPair>).
13 12. Attached hereto as Exhibit J is a true and correct copy of U.S. Patent Application No.
14 15/434,574.
15 13. Attached hereto as Exhibit K is a true and correct copy of U.S. Patent Application No.
16 15/491,450.
17 14. Attached hereto as Exhibit L is true and correct copy of U.S. Patent No. 8,461,854.
18 15. Attached hereto as Exhibit M is a true and correct copy of an email chain including a
19 February 19, 2018 email from Paul R. Morico to Allison Trzop, which discusses
20 documents and information designated “HIGHLY CONFIDENTIAL –
21 ATTORNEYS’ EYES ONLY” by Plaintiff.
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- 1 16. Attached hereto as Exhibit N is a true and correct copy of UCAL-00030429 – UCAL-
2 00030431, designated “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY”
3 by Plaintiff.
- 4 17. Attached hereto as Exhibit O is a true and correct copy of excerpts of Oxford
5 Nanopore Technologies, Inc.’s Responses and Objections to Defendant Genia
6 Technologies, Inc.’s Subpoena.
- 7 18. Attached hereto as Exhibit P is a true and correct copy of Plaintiff’s
8 Responses and Objections to Defendants’ First Set of Production Requests.
- 9 19. Attached hereto as Exhibit Q is a true and correct copy of ONT_UCSC-
10 GENIA_01940, designated “CONFIDENTIAL” by Oxford Nanopore Technologies,
11 Inc. (hereinafter, “Oxford”).
- 12 20. Attached hereto as Exhibit R is a true and correct copy of ONT_UCSC-
13 GENIA_01956, designated “CONFIDENTIAL” by Oxford.

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15 I declare under the pains and penalty of perjury under the laws of the United States that
16 the foregoing is true and correct to the best of my knowledge.
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Dated: April 6, 2018.

**WILMER CUTLER PICKERING
HALE AND DORR LLP**

/s/ Christopher R. Noyes

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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that a true and correct copy of the above and foregoing
3 document has been served on April 6, 2018, to all counsel of record who are deemed to have
4 consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.5. Any
5 other counsel of record will be served by electronic mail, facsimile, and/or overnight delivery.

6 */s/ Christopher R. Noyes*
7 Christopher R. Noyes